

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chairman Chamberlain at 7:30 P.M. on Tuesday, November 27, 2001 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Present:

Chamberlain
Kramer
Pennington
Wright
Storrs
Littman
Reece
Waller (7:35)
Starr (7:38)

Absent

Also Present:

Mark Miller, Planning Director
Susan Lancaster, Assistant City Attorney
Doug Smith, Real Estate and Development Director
John Abraham, Traffic Engineer
Jordan Keoleian, Student Representative

STUDY ITEMS

2. BOARD OF ZONING APPEALS REPORT

Mr. Storrs stated a petitioner wanted to build a sun room. It was denied because there was no hardship identified.

Mr. Storrs stated there was another petitioner that had a real large lot and wanted to build a huge garage and, before approval, started building an addition onto the garage. Someone called him on it and the BZA tabled the request.

Mr. Reece stated that the Planning Commission might want to look at the Solar Ordinance and revise it.

Mr. Chamberlain stated that the Solar Ordinance should be reviewed. He stated we should target for March.

3. CURRENT DEVELOPMENT REPORT

Doug Smith, Real Estate and Development Director, stated that IKEA has indicated they are no longer interested in a Troy store. The regional vice-president for the multi-state area transferred to Canada and the new vice-president thought the new store was too expensive.

Mr. Smith also stated that there was a request by City Council five or six weeks ago, for staff to create two new ordinance revisions. The development of the Burton-Katzman/Sterling Bank property, under existing ordinance, permits 166,000 square feet of building and they would like to build 300,000 square feet. Therefore, an unified overlay district is being considered for Downtown Development Authority properties.

Mr. Smith also commented on the Big Beaver School property near Rochester Road and Big Beaver and consideration of a PUD revision is a possible option. The revision would reduce the ten (10) acre minimum size requirement. Management asked the Planning Commission about their opinion regarding the ten (10) acre restriction. The Planning Commission could consider revising the ten (10) acre restriction back to five (5).

Mr. Chamberlain asked how Burton Katzman/Sterling Bank would qualify as a PUD.

Mr. Smith stated his suggestion was, if the PUD is sought for Burton Katzman/Sterling Bank and the adjacent Magna property was part of the project, the ten (10) acre requirement would be met.

Mr. Chamberlain stated a revision wouldn't be needed.

Mr. Smith stated it could be developed as a PUD.

Mr. Reece stated that years ago the Planning Commission looked at the water, sewer, and road capabilities. He asked if anybody was looking these issues.

Mr. Smith stated staff is looking at all of the issues. A great deal of time is spent making sure all the requirements are met.

Mr. Reece stated the sewer capacity cannot be exceeded.

Mr. Smith stated that another approach would be to allow transfer of development capabilities under the current zoning ordinance.

Mr. Reece stated there has to be a limit.

Mr. Miller stated that Planning and Zoning fully look at those issues based on the Master Land Use Plan. These properties are not developed at their fullest potential.

Mr. Chamberlain asked what if they tear down Magna and rebuild. If a property builds at the higher density, others will look to do the same.

Mr. Smith stated again, it is an opportunity to try to use the existing property that is underdeveloped. A PUD or unified overlay district will use adjacent property for density calculations. Further, he stated that Management would like the Planning Commission to seriously consider both of these revisions and to take into account existing unique properties.

Mr. Chamberlain stated that on the Burton Katzman/Magna property, the best way to go is transfer the property rights.

Mr. Smith stated deed restrictions have been amended to permit additional development.

Mr. Chamberlain stated that he has a real problem with changing the ordinance or density just to fit a special situation. A PUD is to be applied to larger, unique properties.

Mr. Kramer stated that a PUD requires ten (10) acres and asked Mr. Smith what is the acreage if the development rights were transferred.

Mr. Smith answered eighteen (18) to nineteen (19) acres.

Mr. Kramer stated that if City Council is really serious, they could look at a small tweak in the PUD.

Mr. Miller stated that in Transferring Development Rights, the Planning Commission needs to be careful. A Transfer of Development Rights is usually used for a certain aspect of your community you want to preserve. What are we really preserving and where will density increase.

Mr. Miller asked the Planning Commission why the ten (10) acre requirement was adopted.

Mr. Chamberlain stated it was not a feature that we needed. To do a PUD on a piece of property, we wanted these large sites to do this. It is not a normal development tool.

Mr. Miller commented that it could be used as redevelopment tool.

Mr. Littman stated it could be used for urban renewal.

Mr. Miller commented on the improvements on Livernois and Wattles Roads. He stated that the answer regarding the Livernois and Wattles Road expansion without a full rework of the intersection, is that the Wattles Road improvements were only done as part of the drain improvements.

Mr. Chamberlain asked if there were going to be utility poles surrounded by sidewalks.

Mr. Miller stated he needs to research this issue.

Mr. Chamberlain stated that he had asked Mr. Miller to put together an analysis on the PUD for Troy Baptist Church and how it fit our Ordinance. He further stated that it was a very good document and that all should read it.

Mr. Chamberlain further stated that Troy Baptist does not seem to meet the requirements of the PUD. Why are we looking at a PUD, except for the office building component. If we continue down this road, we are still going to make a recommendation to council as to why it's a good or bad idea.

Mr. Miller stated that after the last staff meeting with Troy Baptist, the project is not moving quickly, to the point that the petitioner is not providing a Site Plan with dimensions. The basic Site Plan does not meet the basic Zoning Ordinance requirements. From staff's standpoint, we are not getting the necessary information.

Mr. Chamberlain stated we still have to center on a PUD because whatever we do is going to set a standard for future PUDs.

Mr. Keoleian asked what would be the advantage for Troy Baptist to do a PUD.

Mr. Miller stated a church is not a developer. The church bought a very expensive piece of property and development will help recoup some of the land acquisition costs.

Mr. Waller stated that he thinks that the legal department needs to look at the Federal Law and case law related to religious institutions.

Ms. Lancaster stated that we have to treat churches just like anyone else and she would provide the Planning Commission additional information.

Mr. Storrs stated the PUD analysis is alarming. Did we mislead Troy Baptist and the Robertson Brothers.

Mr. Chamberlain asked if we should notify them. He stated we need to be prepared for ourselves.

Mr. Miller stated that we should explain staff's position and get a full application from them before providing a full analysis. In staff's meeting with them, these points were discussed. Staff explained the City required a unified development. Further, it was asked why couldn't rezoning accomplish the development and build it. The office use is the problem. Staff's main concern at this point is getting a full application from them.

Mr. Chamberlain stated that the Planning Commission kind of gave them the thumbs up on a PUD. Are we wrong in pursuing the PUD with the church.

Mr. Storrs stated they don't meet very many of the requirements.

Mr. Chamberlain stated maybe we aren't interested in them coming in with a PUD.

Mr. Storrs stated that based on staff's analysis, maybe we should send them a letter stating we don't think the requirements are being met.

Ms. Lancaster stated that she doesn't think it should come from the Planning Commission. It should come from Mr. Miller and the Planning Department. Let staff tell them they might want to reconsider.

Mr. Storrs stated that if they sat down and worked through it, they would come to the same conclusion.

Mr. Miller stated staff could state our concern about them not meeting the ordinance requirements and inform them that they need to justify how they do meet the PUD requirements.

MSP Conference

Mr. Wright commented on his attending the big box design session at the conference. He stated that ordinance should include outside signs. He commented on storage ordinance and landscaping requirements. He stated that we should consider maximum parking rather than minimum parking requirements.

Mr. Wright also commented on the session of managing monster homes. A major problem in Birmingham is no setback requirements. Height also seems to be an issue. Further, he commented on the session of Wireless Technologies. He stated that everyone from Troy attended this session and stated that we should not expect a lot of new requests for towers in the future. He stated that towers are owned by tower companies.

Ms. Pennington commented on her sessions at the MSP conference. Referencing the walkable community session, she commented on all the different ways you can design sidewalks.

Ms. Pennington also stated she attended the session on Wireless Technologies. She further stated that during the session, when Brian Blessing of the Oakland County Road Commission, was the speaker, it was very interesting in how he showed the ways to alleviate traffic situations by connecting neighborhoods and PUDs.

Mr. Waller commented on his sessions at the MSP Conference. He attended the virtual reality session and stated it was very useful to be able to see how things were going to be developed. Further, he commented on the wireless technology session and how interesting he found it to be and how much the market has changed.

Mr. Kramer commented on the sessions he attended at the MSP Conference. He attended the big foot session and commented that they have a different formula in determining height. Birmingham ordinance also included a provision by percentages. Houses = 35%; garages = 15%. It looks like it drives some conventionality into a residential neighborhood. At another session, housing was brought up as an issue on Mackinac Island. That there were not enough people living on the island. A Minister on Mackinac Island decided some low and moderate income housing on the island is necessary to have more year round residents.

Mr. Kramer commented on a 3D study on virtual reality. The City of Birmingham got it for free. Two things that could help us in the future is that all new buildings were designed on CAD.

Mr. Smith stated that if anyone would ever like to see the full model City Graphix prepared for Troy, he would be happy to come in and show it.

Mr. Miller stated Troy Baptist is considering doing a CAD 3D model.

Mr. Waller stated that basic concept is just to use common sense. You don't have to be an expert.

4. DOWNTOWN DEVELOPMENT AUTHORITY REPORT

Mr. Smith noted the reappointment of Nick Muggin, the appointment of Dan McLishe, and consideration of Michelle Hodges, the Executive Director of the Chamber of Commerce.

5. FUTURE LAND USE PLAN

Future Land Use Plan Text

Mr. Chamberlain stated that:

Page 23 – delete proposed

Page 23 – delete Modified Plan Adopted

A formal public hearing should be set up for January.

Transportation Plan

Mr. Chamberlain stated there is a problem with the safety path going into people's backyards.

Mr. Miller stated that this is only a generalized idea.

Mr. Abraham stated it is only a concept.

Mr. Chamberlain stated we have a problem. How do we fix it. It is trespassing.

Natural Features Map

Mr. Chamberlain stated that the Natural Features Map is okay.

Mr. Miller asked if the name should remain Natural Features Plan or should it be changed to Natural Features Map.

Mr. Chamberlain stated it should be Map.

Mr. Reece stated that Natural Features include a lot of flood plains. We should modify to acknowledge flood plains. It is going to become a larger issue.

Mr. Bob Schultz, 883 Kirts, stated that flood plains should be included on the Natural Features Map because mortgages are being tough on this. Flood plains should be provided on this map.

Mr. Miller stated that FEMA Map is not a natural feature, it's a regulation by the Federal government.

Mr. Miller stated there is no interest in adding flood plains on this Natural Features Map. Maybe we should add a note referencing the flood plain information.

Mr. Reece stated that this map excludes the flood plains and we should include a note where they can go to find this information, such as cross-referencing.

Ms. Lancaster stated that cross-referencing would be a good alternative.

6. LAND USE AND ZONING STUDY – Crooks Road at Big Beaver Road

Mr. Miller presented a study area Zoning Map, Master Land Use Plan Map and aerial map. The aerial map included an analysis and comments regarding land use relationships and traffic circulation.

- AND -

7. LAND USE AND ZONING STUDY – Long Lake Road and Dequindre Road

Mr. Miller presented a study area Zoning Map, Master Land Use Plan Map, aerial map and Long Lake Road Construction Plans. The aerial map includes analysis and comments regarding land use relationships and traffic circulation. In addition, reconstruction of Long Lake Road is scheduled for 2002, and is depicted on the construction plan. The Road Commission of Oakland County (RCOC) is proposing improvements to Dequindre Road in 2002; however, the construction plans are not available. The Planning Department will verify the Dequindre improvements and provide the plans at a future Study Meeting

Mr. Miller presented a slide presentation. Mr. Miller's presentation showed some of the site plan and traffic access problems of the two study areas.

Mr. Reece asked about a curb-cut plan.

Mr. Waller stated that we should start thinking about changing our setbacks so the buildings can be closer to the road and locate parking behind the buildings and use cross-access easements.

Mr. Wright stated that the Shell Gas Station may need two drives on Big Beaver.

Mr. Abraham provided an Access Management slide/powerpoint presentation and provided traffic information and crash numbers.

Mr. Chamberlain asked if the times of the accidents are known.

Mr. Abraham stated: 5:00 to 6:00 P.M.; 6:00 to 7:00 A.M.; and 12:00 to 1:00 P.M.

Mr. Smith stated that he talked with the owners of Dennys to try to get shared access. The owners did not want to cooperate.

Mr. Chamberlain stated that we need to look close at the Shell station on the southwest corner and check out the impact on sidewalks. Walgreens has cross-access to the Shell station.

Mr. Storrs asked if we had our wish, how would we redevelop.

Mr. Chamberlain stated with less setback and parking in rear and use a local area plan for redevelopment. He asked Mr. Miller to prepare a synopsis of the Urban Land Institute (ULI) – 10 ways to improve commercial strips.

Mr. Abraham presented additional accident information.

Mr. Wright commented on intelligent traffic signals and asked if they are coordinated.

Mr. Abraham stated they do promote coordinated movements and are computerized systems.

Mr. Kramer asked what's the goal for the Planning Commission.

Mr. Chamberlain stated that at the January Study Meeting, Staff should present solutions to the problems of the two study areas.

Mr. Chamberlain asked Mr. Smith if the Downtown Development Authority (DDA) would still be willing to help out in this project with financial support.

Mr. Smith answered he believed the DDA would help out.

Mr. Chamberlain stated let's go for the long term as well as the short term.

8. SPECIAL USE APPROVAL STUDY

Mr. Miller stated that the Planning Commission is embarking on a review of all Special Uses contained within the Zoning Ordinance. Staff presented a list that is a manageable task for a single meeting. Therefore, a list of residential zoning districts and their Special Uses were provided.

Mr. Chamberlain stated this list is okay; however, we plan on doing this review in sections. The residential districts should protect the people who live there. He asked if anybody had any thoughts on these requirements. Further he stated, the goal is to try and remove some of the unnecessary Special Uses in the Zoning Ordinance.

Mr. Waller commented that 12.30.05 and 10.30.08 should be the same.

Mr. Chamberlain stated we need to try to make each residential district similar.

Mr. Chamberlain asked Mr. Miller to have the Planning Staff review the requirements and put them all in the same order.

Mr. Storrs asked if we really need this much difference in the different residential districts.

Mr. Wright stated they should all be referenced the same.

Mr. Chamberlain commented on 10.30.08 free-standing tower structures and antennas. He stated that we do not want any towers in residential districts. Further, he asked Mr. Miller to research the issue of towers in residential Zoning Districts.

Mr. Kramer asked if zoning can regulate public schools.

Mr. Chamberlain replied we don't want to do that.

Ms. Lancaster stated that most cities have ordinances that regulate public schools, but that there always seems to be some sort of dispute when City's do regulate school districts.

Mr. Chamberlain stated to Mr. Miller that this information is not necessary for the next study session, but more like within six months.

Mr. Miller commented on senior housing in the R-EC Elder Care District. He asked if senior housing should be a principal permitted use in the R-EC District.

Mr. Chamberlain requested that Mr. Miller research the R-EC District.

Mr. Waller stated he would like to make an amendment to the Cluster Homes on Long Lake and Rochester Roads which the Planning Commission approved on November 13, 2001, as follows:

SITE PLAN REVIEW (SP-866) – Proposed River Bend Condominiums, South side of Long Lake, West of Rochester, Section 15.

Moved by: Waller

Seconded by: Littman

RESOLVED, that any changes made other than easements shall be brought back to the Planning Commission for approval.

Yeas: Waller
Chamberlain
Reece
Wright
Littman
Kramer
Pennington
Storrs

Nays: Starr

RESOLUTION APPROVED

Mr. Starr stated his no vote is the result of timing and place of the resolution.

FOR THE GOOD OF THE ORDER

Mr. Littman stated that the Tree Preservation has no enforcement provision.

Mr. Miller stated the intent is not to require preservation of trees. This sets standards if you want to preserve trees.

Mr. Reece stated he saw an Evangelist ad on TV for a Christmas Play at a Troy Church and to call for free tickets. Is this legal.

Ms. Lancaster stated if it is religious, it is very difficult to prohibit.

Mr. Chamberlain asked if there were any regulations in the City of Troy regarding temporary tents used as a permanent structure. He requested Staff to check into this issue.

9. PUBLIC COMMENT
No public comment.

10. MEETING ADJOURNED 10:35 P.M.

Respectfully submitted,

Mark F. Miller AICP/PCP
Planning Director